

# THE THIRD BRANCH

Newsletter  
of the  
Federal  
Courts



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## INTERVIEW

### Taking a Personal Commitment to Justice to the World

An Interview with  
Judge Charles R. Simpson III

*Judge Charles R. Simpson III was appointed to the U.S. District Court for the Western District of Kentucky in 1986. He has served as a member of the Judicial Conference Committee on International Judicial Relations since 2004 and became the Committee's chair in April 2008.*



Judge Charles R. Simpson III (W.D. Ky.)

**Q:** When and why was the Committee on International Judicial Relations formed?

*See Interview on page 10*

## Warning! Read This Before Filing Bankruptcy Pro Se

Many of the bankruptcies filed immediately before the October 2005 effective date for several provisions of the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005 were filed pro se—literally “for oneself,” without the assistance of legal representation. Since then, the number of pro se bankruptcy filings has continued to grow. The Administrative Office’s Bankruptcy Judges Advisory Group (BJAG), has produced a helpful guide especially for bankruptcy courts, *Assisting Pro Se Parties in Bankruptcy Cases*.

“Pro se filings are growing around the country and it is very difficult for a pro se filer to understand and successfully traverse the system,” said Chief Bankruptcy Judge Judith Wizmur (D. NJ). The report was developed while she chaired the BJAG, a group of bankruptcy judge representatives from all of the circuits who advise the Director of the AO on all matters pertaining to the administration of the bankruptcy courts. “We wanted to offer to the bankruptcy courts some perspective on what assistance could be offered to pro se filers,” she said. “Some bankruptcy

courts are extremely sophisticated in the help they provide filers and we felt others might benefit from their experience. The more we can spell out for debtors, the more we can help them.” She is proud of the result and credits the extensive efforts of Bankruptcy Judge S. Martin Teel Jr. of the Bankruptcy Court for the District of Columbia, assisted by Chief Bankruptcy Judges Charles M. Caldwell (S.D. Ohio) and William S. Stocks (W.D. N.C.).

“Some courts do a good job of assisting pro se filers, and some do not,” said Teel. “But they shouldn’t have to reinvent the wheel. BJAG published this report to highlight some of the things that can be done to educate pro se filers, what information about filing and services may be needed, and where best to make that available.”

Posting information on the court’s website is one way to reach filers. The Judiciary’s own website, [www.uscourts.gov/bankruptcycourts/prose.html](http://www.uscourts.gov/bankruptcycourts/prose.html) hosts a page developed by BJAG to give pro se debtors some guidance on how to proceed in a

*See Bankruptcy on page 6*

## INSIDE

JRent Helps Courts Monitor Space Costs .....pg. 2  
Kiosks Take Over Routine Reports .....pg. 3  
New Law Affects Jury Selection and Service .....pg. 4

# JRent: Powerful Tool Helps Courts Monitor Space Costs

The nation's federal courts have a powerful new tool for monitoring space costs. JRent, a software module, provides court unit executives and their designees with a simple, searchable database of past and current rent bill information.

Rents paid to the General Services Administration (GSA) represent about 20 percent of the Judiciary's overall annual budget. The Circuit Rent Budget program is aimed at controlling rent bill growth, and JRent can help.

"Awareness of space cost is a first step," said Facilities Information Manager David Rickerson of the Office of Facilities and Security's Space and Facilities Division in the Administrative Office (AO). "It became obvious that the AO and the courts needed information. So we built a database in the late '90s that evolved into what is now called JFACTS. It includes rent charges for each court unit. That data is now used by JRent."

As rent cost-containment efforts progressed over the past several years, access to rent cost information for the courts was sought. JRent, largely Rickerson's invention, was unveiled last October 1. It is a joint effort between the AO and the U.S. District Court for the Northern District of New York.


John Domurad, chief deputy clerk in the U.S. District Court for the Northern District of New York,

calls JRent an important tool "in the arsenal of court executives to evaluate their costs."

"Space can no longer be viewed as a free commodity, but rather we must view it as we do all other items purchased from a private vendor," Domurad said. "As such, space is subject to the same spending decisions and strict accounting principles we employ with other court purchases."

He added, "JRent advances this concept because it provides court personnel with a user-friendly medium to view their current and past rent bills from the GSA. Armed with this information, court executives can make informed decisions regarding their space utilization."

"Although it is too early to draw any trend patterns, I would expect that we'll see a pattern develop where use is most heavy after each month's rent data is posted, which typically occurs between the 18<sup>th</sup> and 21<sup>st</sup> of the month," said Rickerson, project manager for JRent.

Domurad said it is important for courts to share information and methodology. "The learning curve on courthouse rents is steep if attempted by oneself," he said. "JRent is really one tool in the Judiciary's cost-containment initiative. It's invaluable for verification. You know, if I order 10 pencils from the office supply store, I expect to receive 10 pencils. But I will count them anyway." 



JRent is gaining attention. As of late November, 252 unique court users representing 186 different court units have viewed their rent costs via JRent.

# Kiosks In Pilot Program Take Over Routine Reports

Defendants must routinely submit reports on their status to the probation and pretrial services office as a condition of bail or post-conviction supervision. Starting in December, a three-month pilot program will test whether there is a better way—an electronic way—to receive and use those reports.

The program will place kiosks using the Electronic Reporting System in probation and pretrial services offices. When a client visits, he or she will go directly to the kiosk and touch its screen to begin. A biometric fingerprint scan verifies identity, and the kiosk screen displays the client's photo. Current address and employment history are displayed next and any changes can be typed in using the kiosk's keyboard.

Then the client is prompted to move through a series of questions in English or Spanish. Do you possess a firearm? Have you used or possessed any illegal substances? When is your next scheduled court date? Have you had any contact with law enforcement not previously reported? Does your employer know of your pending federal charges? Have you traveled outside of the district or outside of your restricted travel zone since your last response? For each question, a yes or no answer can be given or the client can choose to enter "discuss with officer." After the last question, the screen can direct the client to take a seat; an officer will be with them shortly. The ERS kiosk sends an e-mail to the probation or pretrial service officer's computer/Blackberry, alerting him or her that the client is waiting.

Nine probation and pretrial services offices will participate in the pilot program, with four offices starting this month. The initial pilot courts are the combined Probation and Pretrial Services Office in the Western District of New York,



*Different kiosk designs also will be tested by the pilot courts with some using keyboards and others using touch screens.*

the Probation Office in the Western District of Texas, the Pretrial Services Office in the Western District of Texas, and the Pretrial Services Office in the Central District of California. The remaining court units will begin the pilot in January. [See box.]

The Western District of Texas was an early user of a prototype kiosk system and now will participate in the national program. According to Nick DiSabatino, chief of the Office of Probation and Pretrial Services Technology Division at the Administrative Office, the AO worked with the Western District of Texas to streamline the software behind the Electronic Reporting System to make it usable by all districts and to make the kiosks user-friendly.

Phil Reyna is chief pretrial services officer for the Western District of Texas, geographically one of the largest districts in the country. "When an offender comes in to fill out a report, in the past they would fill out a piece of paper," said Reyna. "Basically it's the same questions

## Kiosk Pilot Courts

Nine probation and pretrial services offices will participate in the pilot program.

### Starting in December

Office of Pretrial Services, Central District of California  
The Combined Probation and Pretrial Services Office, Western District of New York  
Office of Probation, Western District of Texas  
Office of Pretrial Services, Western District of Texas

### Starting in January

Office of Probation, District of Arizona  
Office of Probation, Northern District of Illinois  
Office of Probation, Eastern District of Michigan  
Office of Probation, Western District of Missouri  
Office of Probation, Western District of North Carolina

every time they visit. Now when an offender comes in, he or she can use the Electronic Reporting System to quickly answer those questions. When they see the officer, they can focus on supervision issues."

The Electronic Reporting System not only gathers the information electronically, it downloads it to the Probation/Pretrial Services Automated Case Tracking System and automatically highlights for the officer any changes from the previous month's report.

"It streamlines the reporting process when a client uses the kiosk to report," said Supervising Pretrial Services Officer Carlos Salinas, who has worked to implement the Western District of Texas program.

*See Kiosk Pilot on page 7*

# New Public Law Affects Jury Selection and Service

The enactment of Pub. L. No. 110-406, the Judicial Administration and Technical Amendments Act of 2008, signed into law on October 13, 2008, made the most substantive changes to the Jury Selection and Service Act, 28 U.S.C. §§ 1861, et. seq., in 20 years. Five provisions will affect attendance fees, jury summons, jury wheels, juror penalties, and ensure a juror's right to serve without retaliation.

## ■ Supplemental Attendance Fee for Petit Jurors Serving on Lengthy Trials

After 10 days, petit jurors serving on lengthy trials may begin to receive a supplemental daily attendance fee, presently authorized not to exceed \$10, in addition to the \$40 per day fee. The time period had been 30 days. This provision becomes effective October 1, 2009.

## ■ Authority of District Courts as to Jury Summons

It is now left to the district courts' discretion whether or not to take

action against individuals who do not respond to a jury summons. In the past, challenges had been made when a court that sends out questionnaires and summonses simultaneously failed to call unresponsive individuals to court to show cause for noncompliance, as was required under 28 U.S.C. § 1866(g). It was argued that the jury, under these circumstances, was unlawfully empanelled. Challenges typically were not successful, but they required court action and lengthy litigation. This provision clarifies the process.

## ■ Public Drawing Specifications for Jury Wheels

District courts are no longer required to post separate notice of each drawing from the master and qualified jury wheels or to publicly draw names from the jury wheels. One general notice may be posted in the clerk's office and on the court's website explaining the process by which names are randomly and periodically drawn from the wheels.

## ■ Penalty for Failure to Appear for Jury Summons

Jurors who fail to respond to a jury duty summons or who willfully misrepresent a material fact on a questionnaire to avoid jury duty now face a penalty of \$1,000—increased from \$100—with the additional potential penalty of community service.

## ■ Penalty for Employers Who Retaliate Against Employees Serving on Jury Duty

Employers who retaliate against employees who serve on jury duty or who are scheduled to attend in connection with such service, now face a maximum penalty of \$5,000, an increase from the previous \$1,000 penalty. Courts also have the additional option of requiring community service as a penalty. The new monetary penalty is comparable to those in some state courts and to the fines imposed for excluding jurors from service on account of race or color.



## On-Line eJuror Cuts Costs, Saves Time

You can shop on the Web, pay bills on-line, even file income tax returns electronically. Why not submit your juror qualification questionnaire and summons information forms on-line?

Beginning this month, potential jurors in the U.S. District Courts for the Middle District of Pennsylvania and the Western District of Kentucky have the option of submitting their juror qualification questionnaire and summons information forms on-line through the eJuror system, a new component to the federal Judiciary's Jury Management System (JMS). The U.S. District Court for the Northern District of Illinois will enter the eJuror pilot program sometime in January. Courts around the country will follow

in waves. If all goes as planned, by 2010 any member of the public may be able to visit the website of their federal court not only to submit their jury forms 24-hours a day and 7-days a week, but also to get updates on their jury service.

Questionnaire forms help determine a potential juror's eligibility to serve, while jurors called to serve use the summons information form to update their personal information. Potential jurors still will receive print versions of the forms. But they now will have the option of either mailing in the print form or going on-line to complete the form(s). Users choosing the on-line option login to eJuror, which prompts them with successive screens to

respond to a series of questions, the same questions as the print forms.

Cindy St. Pierre, jury administrator for the U.S. District Court for the Middle District of Pennsylvania and a member of the court team that helped design eJuror, is looking forward to the program launch in her district.

"People use computers for everything these days," St. Pierre said. "Sure, some people will still fill out the paper form and return it. But others feel it would be so much easier to fill out the form on-line and get their confirmation immediately. I'm excited about it and I think the courts will be happy with eJuror."

*See eJuror on page 9*

# Knowing the Rules: Team of Court Managers Builds Training on Space and Facilities

How do I get the court space we need within our budget cap? Are we paying appropriate rent for the space we already have? What technology will attorneys and jurors need in the courtroom in the coming years? Every court unit executive has asked these and other questions about their court space and facilities.

Ten court managers, members of the Training Program Planning Team, hope to provide answers. Over the next few months, they'll identify specific training needs in five areas: circuit rent caps, courtroom technology and communications, asset management planning, rent validation, and basic space and facilities planning. The materials will be developed into a comprehensive training curriculum.

"There have been a number of changes in the way we manage space and facilities. One court executive described it to me as a 'sea change.' At the same time, we've given more and more responsibility in this area to our unit managers," said Chief Judge Joseph F. Bataillon (D. Neb.), chair of the Judicial Conference Committee on Space and Facilities. "For example, courts now need to predict their space needs, know how to obtain additional space, and when to consider cost-effective alternatives. Our goal is to make unit managers more proficient, to make sure they are familiar with the space and facilities program, know how it works, and how best to implement it for their courts."

Susan Thurston is a team member and clerk of court in the U.S. Bankruptcy Court for the District of Rhode Island. "As court unit executive positions turn over, we need to have comprehensive space and facilities training and resources available. In the past, many of us have relied on

phone calls to other courts and independent research to find out how to manage space and facilities. We need a better way to know how to get the work done," Thurston explains. "Although some information and training is available, some areas—like courtroom technology—haven't been updated in many years and need to be refreshed, while other areas—such as rent validation and circuit rent budgets—are brand new and we need education and materials."



The target group for the training is mainly court unit executives, but also court staff and managers who may deal with space and facilities issues in the course of their jobs.

"There is a whole series of topics touching on space and facilities with policies and processes set by the Judicial Conference, by the General Services Administration, and by statute for which we have responsibility," said team member Bruce Rifkin, clerk of court in the U.S. District Court for the Western District of Washington. "This is an effort to provide consistent training, with court staff involved

with development right from the get-go. We can define what we need to succeed and who needs to be trained."

The team looks to the Federal Judicial Center (FJC) to get started. Jim Buchanan, a senior education specialist with the FJC, will work with the group to design the curriculum. He previously helped develop the 1996 Capital Construction Program training modules.

"This is the first time we're taking a look at the many parts of space and facilities management," said Buch-

anan. "It's a remarkable opportunity to design training that fits all the pieces together. Our goal is to develop training that helps court unit executives and managers take new information and put it to work on the job."

Each of the team members has volunteered to help develop one or more of the training areas, including what they've dubbed Space and Facilities Planning 101, an area Thurston selected. "We named it that," she said, "because we hope to make it a basic explanation of what we are entitled to, the service levels we should expect for space and facilities, and also how to get problems resolved in a timely manner."

*See Curriculum on page 9*

bankruptcy case. But local courts remain the primary source of guidance for debtors.

"We looked at a number of court websites and thought about what we should be telling pro se filers," said Teel. "We thought it was a good idea to lay out some of the stumbling blocks in filing and briefly emphasize how difficult it is to file pro se."

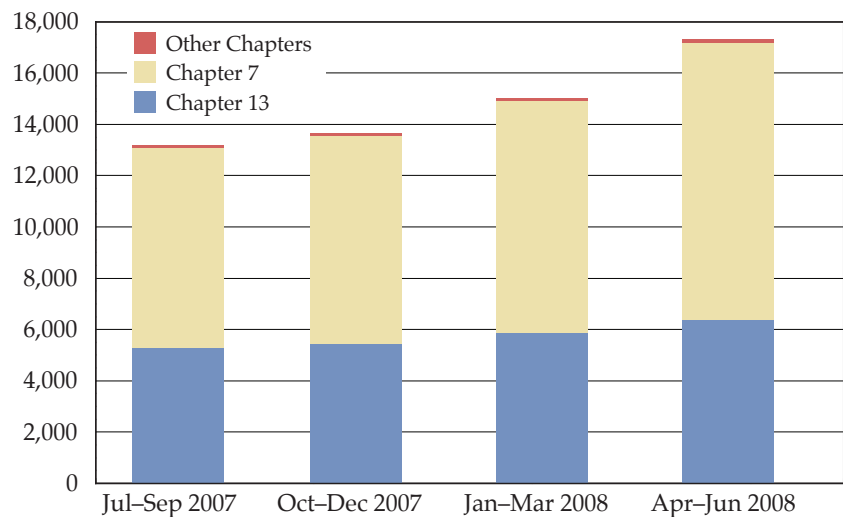
For example, it is recommended that *"Stop! If you are a debtor thinking of filing a bankruptcy case, first read the notice to all debtors before filing a case"* is the first item a pro se filer reads after clicking on the "Have No Attorney?" link on a court's home webpage. That notice warns a pro se debtor not to file a case unless the debtor has complied with the statute's requirement of prepetition credit counseling.

"There are too many cases of filers who fail to have the required credit counseling," said Teel, "and it will almost always result in dismissal of their cases. In 99 percent of the cases, there is no excuse allowed by the statute for not getting counseling before filing the petition commencing the case. This is our red flag. We want filers to see the warning."

The report's sample "Have No Attorney?" webpage includes:

- Information repeatedly stressing the complexity of bankruptcy, the desirability of proceeding with an attorney, and the prohibition against the clerk's office and judge giving legal advice to filers.
- A warning to potential filers to evaluate whether pursuing a bankruptcy case is really needed, including the unavailability of a discharge, in certain circumstances, if the debtor filed a prior bankruptcy case, and whether certain tax liabilities will remain even if the debtor files.
- A discussion of the difficulties a pro se debtor may face, including the papers that must be filed and the danger of dismissal if the papers are not filed; the need to attend and

## Bankruptcy Cases Filed by Pro Se Debtors by Quarter



Source: Administrative Office of the U.S. Courts

testify at the meeting of the creditors; the requirement to take a financial management court *after* filing the petition; and filing fee requirements.

The report's "Have No Attorney?" webpage also includes a "Find An Attorney" topic because a pro se party may not know how to find an attorney, and may be unaware of attorney services available for those unable to afford an attorney. Links would direct viewers to the websites of the American Bar Association and the local bar for a discussion of how to find an attorney, as well as links to the pro bono programs that are available.

For the debtor who elects to file pro se despite the dire warnings, the BJAG paper recommends various types of assistance. Official and local forms can be posted in editable PDF formats. Most of the official forms are already in this format and available on the Judiciary's website at [www.uscourts.gov](http://www.uscourts.gov).

A court's website also may post a clearly labeled link to informational materials on bankruptcy, which can include, for example, links to the Bankruptcy Code and Bankruptcy Rules.

Much of the information posted to the court's website on bankruptcy could be made available in paper form in the clerk's office—including a very prominent notice regarding the dangers of filing

without prepetition credit counseling. Because some individuals may not have Internet access, the BJAG report recommends that bankruptcy courts provide access to their website and other selected websites on their public area computer terminals, or post a notice directing visitors to public libraries that provide computer access.

Once an individual debtor decides to proceed pro se, BJAG recommends that the court have in place a standard set of notices that the clerk of court issues to alert the party to any deficiencies in the party's filings. These same notices also could be used for parties proceeding with the assistance of an attorney.

BJAG also recommends that courts post information on their website and at the clerk's office to assist pro se creditors, including information regarding what a corporation can pursue pro se (for example, the filing of a proof of claim), and links to information pertinent to pro se creditors.

A secondary purpose of the report was to explore briefly what pro bono programs can be developed to assist pro se filers. "We really just scratched



"Because the program automatically enters a client's chrono, the officer can spend more quality time with the offender addressing issues they may face, or compliance concerns, rather than on typing in the standard information on name, address, employment, and things of that nature."

"This Electronic Reporting System technology goes hand in hand with our continuity of operations plan," adds Reyna. "For example, if there's a hurricane or other natural disaster, officers may look at a file or report, and see what's going on with a case from anywhere in the district or country." Particularly for the sprawling Western District of Texas, the ability to use kiosks in remote locations is a plus. "It may take an officer one day to make a visit in our district, or because of distance, the offender doesn't have the ability to make weekly visits to an office," said Reyna. "We don't want the kiosk to take the place of that visit, but many times it will be easier for our low-risk offenders, with no prior record or history of violence, to go to a local sheriff's office or local police


department to submit the report." Of course, the kiosk confirms that it's the offender with the fingerprint biometric scan.

Corey Nguyen, chief of the Technology Operations Branch, Technology Division, within the AO's Office of Probation and Pretrial Services (OPPS), agrees that kiosks shouldn't replace officers. "ERS and the kiosks are not a substitute for supervision. They're data collection devices that free up officers to spend more time with each offender." He points to a per district reduction of 500-800 paper reports submitted in a month by the Western District of Texas and the Central District of California when they used the kiosks.

There is additional functionality for the kiosks. According to Matt Rowland, OPPS deputy assistant director, the gathered information can be used as part of the probation and pretrial services system's process and outcome measurement efforts. "With data from the kiosks and other electronic sources," said Rowland, "we will be able to research the relationship between changes in status reported by a defendant, the officer's


activities, and the ultimate outcome in the case. That is the type of information we need to develop the effective policies and procedures of the future. The program will create a veritable gold mine of information for us to use and study."

As part of the pilot program, kiosks with slightly different configurations will be tested to see which works best. Charles Mason, deputy chief pretrial services officer in the Western District of Texas, already has another wrinkle in mind. "We've talked about the idea of adding videoconferencing equipment in remote locations," he said. "So a client could report in Alpine, Texas, and be seen several hundred miles away by videoconference by an officer in San Antonio. The technology would enable the officer to have face-to-face contact with the defendant, but without hours of driving time."


"It will be an advantage for districts to use this type of technology," said Reyna. "As far as funding is concerned, increasingly we're required to perform more functions with fewer people. We need to work as efficiently as possible and concentrate our efforts on supervision." 

the surface in identifying existing pro bono programs," Teel admits. Some courts may have a pro se law clerk who will be able to assist, some bar associations and public interest groups have programs for providing an attorney to assist qualified indigent debtors in filing a case, some bar associations provide self-help at the clerk's office at appointed hours, and other bar associations have programs to assist indigent parties in litigated matters in a bankruptcy case. The BJAG lists several resources on establishing

pro bono programs in bankruptcy courts and how to make the existence of the programs known.

The guide, *Assisting Pro Se Parties in Bankruptcy Cases*, is posted on the Bankruptcy Judges site on the Judiciary's intranet. Bankruptcy information is available on the Judiciary's website at [www.uscourts.gov/bankruptcy-courts/bankruptcybasics.html](http://www.uscourts.gov/bankruptcy-courts/bankruptcybasics.html). A video at [www.uscourts.gov/video/bankruptcybasics/bankruptcy-Basics.cfm](http://www.uscourts.gov/video/bankruptcybasics/bankruptcy-Basics.cfm) explains the basics of bankruptcy for potential filers. 

## E-Mail Updates

Have Judiciary news releases, newsroom updates, and notification of new publications, content and programs sent directly to your e-mail. Look for "E-Mail Updates" on the Judiciary's home at [www.uscourts.gov](http://www.uscourts.gov), enter your e-mail and select the topics that interest you. The e-mail subscription service is free. 

**Appointed: Mitchell S. Goldberg**, as U.S. District Judge, U.S. District Court for the Eastern District of Pennsylvania, November 3.

**Appointed: C. Darnell Jones II**, as U.S. District Judge, U.S. District Court for the Eastern District of Pennsylvania, October 31.

**Appointed: David J. Joel**, as U.S. Magistrate Judge, U.S. District Court for the Northern District of West Virginia, August 1.

**Elevated: U.S. District Judge Wiley Y. Daniel**, to Chief Judge, U.S. District Court for the District of Colorado, succeeding U.S. District Judge Edward W. Nottingham, October 30.

**Elevated: U.S. District Judge Vicki Miles-Lagrange** to Chief Judge,

U.S. District Court for the Western District of Oklahoma, succeeding U.S. District Judge Robin J. Cauthron, November 26.

**Elevated: U.S. District Judge Thomas B. Russell**, to Chief Judge, U.S. District Court for the Western District of Kentucky, succeeding U.S. District Judge John G. Heyburn II, December 1.

**Senior Status: U.S. Court of Appeals Judge A. Raymond Randolph**, U.S. Court of Appeals for the District of Columbia, November 1.

**Senior Status: U.S. District Judge W. Royal Furgeson, Jr.**, U.S. District Court for the Western District of Texas, November 30.


## Sentencing Commission Issues Report on Federal Escape Offenses

Prompted by a suggestion in a decision by the U.S. Court of Appeals for the Seventh Circuit, *United States v. Chambers*, 473 F.3d 724 (7th Cir. 2007), cert. granted, \_\_\_ U.S. \_\_\_, 128 S. Ct. 2046 (2008), the U.S. Sentencing Commission has undertaken a data analysis of federal prisoner escape cases to determine whether the crime of escape qualifies as a “violent felony” for sentencing purposes.

The Armed Career Criminal Act states that an offender convicted under its provisions who has three or more prior convictions for a “violent felony” or serious drug offense must be sentenced to at least 15 years in prison.

The Commission’s report—in 12 pages and two appendices—explains how it undertook an analysis of federal escape cases to determine what factors may indicate “conduct that presents a serious potential risk of injury to another” such that it qualifies as a violent felony.

Overall, of the 414 cases cited by the report, 14 cases involved use or the threat of force against any person either at the time of escape or attempted escape, at the time of apprehension for the escape, or both. Another 30 cases involved a weapon at some point in time. And 12 cases involved injury at some point.

The report is posted at [www.ussc.gov/general/escape\\_FY0607\\_final.pdf](http://www.ussc.gov/general/escape_FY0607_final.pdf). 

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## JUDICIAL BOXSCORE

*As of December 1, 2008*

### Courts of Appeals

Vacancies	12
Nominees	10

### District Courts

Vacancies	30
Nominees	16

### Courts with “Judicial Emergencies”

15
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Up-to-date information on judicial vacancies is available at <http://www.uscourts.gov/judicialvac.html>

*eJuror continued from page 4*

With eJuror users can update personal information, submit a medical or other excuse, or request a deferral on-line—all with the convenience of on-line submission. Jurors also may login to eJuror to learn their current juror status—if they must report for jury duty or if they are excused. For those completing their jury service, they may use eJuror to print certificates of attendance, which may be required by employers, and to complete surveys about their experience. With over 6,000 civil and criminal juries selected in fiscal year 2007 alone, this is a boon for all involved.

“The eJuror system is a time- and cost-saver for both the courts and the public,” said Judge John R. Tunheim, chair of the Judicial Conference Committee on Court Administration and Case Management. “With eJuror, there will be fewer forms for the courts to process manually and less data to re-enter into the system, which will increase data reliability and save time. Such functions as excuse requests, deferrals, and certificates of attendance will be automated and available on-line for the public, reducing staff time even further. It’s faster to communicate with jurors by e-mail, and courts will save on postage costs.”


The launch of eJuror is the culmination of many individual efforts. “The JMS web page team has worked for over a year on the district court eJuror system,” said attorney David Williams in the Administrative Office’s District Court Administration Division. “They have fine-tuned requirements, gathered comments on usability, and tested software until it’s ready.”

*“The eJuror system is a time- and cost-saver for both the courts and the public.”*

Courts may customize eJuror’s language and web presentation, adding graphics or local court identification. It also is configured to support both 1-step and 2-step processing, depending on which model the court follows. (One step processing combines the jury summons with the gathering of qualifying information; the 2-step process gathers qualifying information first before sending a summons.) Courts can choose the eJuror features they want to use.

“There’s lots I really like about the eJuror program,” said St. Pierre, “especially the ability the courts have to turn on and off features. For example, eJuror can be set up to accept one or more deferrals automatically or to require all deferral requests be reviewed by the court. And the system won’t allow us to choose those people who are deferred. The courts also can customize each screen a person sees. It just has lots of flexibility.”

Williams and Dan Elsroad, the eJuror program administrators, have provided AO support and direction for the web page team of mainly jury and systems administrators from the U.S. District Courts for the Districts of Connecticut, Kansas, Nevada, Northern District of Illinois, Western District of Kentucky, Eastern District of Missouri, Northern District of New York, Middle District of Pennsylvania, and Western District of Tennessee. Technical support for eJuror has come from AO staff at the Systems Deployment and Support Division in San Antonio and Phoenix and the Office of Court Administration’s Technology Division, along with Affiliated Computer Services, the JMS vendor that developed the eJuror software.

For information on bringing eJuror to your court, contact David Williams or Dan Elsroad at (202) 502-1570. 

*Curriculum continued from page 5*

Buchanan has set up a website where the team can exchange files and e-mail. “It’s exciting to work with the court team,” he said. “They’re a very talented group and many have worked with the FJC previously on developing training programs. They’re not new to this.”


An objective for Buchanan and the planning team is to develop not only lesson plans, but what Buchanan calls “reinforcing exercises.” For example, the rent validation curriculum will include a primer on validation as well

as exercises in finding discrepancies in blueprints on how space is assigned.

The goal is to outline training and lesson plans for each curriculum module by mid-February, using templates developed by the FJC. “We’re not creating content from scratch,” Buchanan said. “We’re really bringing lots of information together and making it accessible. The bottom line will be to look at the scope of space and facilities materials and teach it from that system-wide view.”

When completed sometime this

spring, the team hopes to introduce the different training curriculums with circuit-by-circuit visits. On-line modules are also possible.

“All issues of space and facilities planning are in play now,” said Bataillon. “The Conference has approved and business rules are finalized for circuit rent budgets. Asset management and space validation are in place. It’s time to be sure everyone knows the rules. And it’s important to begin the training cycle as soon as possible.” 

**A:** The Committee was formed in 1993, at the suggestion of the Executive Committee chaired by then Sixth Circuit Chief Judge Gil Merritt. The first chair of the IJR Committee was Judge Michael Mihm of the Central District of Illinois.

At the time, contacts with foreign judiciaries had begun to increase, but were being handled on an ad hoc basis. The Soviet Union collapsed in late 1991. As a result, the emerging countries which had been part of the USSR began to establish democratic institutions, including justice systems. This resulted in even more requests for assistance and information. With the Administrative Office (AO) and the Federal Judicial Center being deluged with requests for help, Judge Merritt's suggestion helped the federal courts devise ways to provide assistance in a more orderly fashion.

The Committee was then, and is now, staffed by the Article III Judges Division within the AO. The Committee is a little unusual because it has as members not only federal judges, but also the Secretary of State's designee and a member of the academic community. Our academic member is currently Dean T. Alexander Aleinikoff of the Georgetown University Law Center. The Secretary of State's designee is John B. Bellinger III, who is Legal Adviser to the Secretary of State.

**Q:** What is the Committee's mission?

**A:** We serve as a resource for the establishment and expansion of the Rule of Law and for the administration of justice throughout the world.

The Committee coordinates the federal Judiciary's relationship with foreign courts and judges, and with governmental and nongovernmental organizations which work in the legal reform area. We respond to requests

for information and assistance and help develop programming. We are often called upon to work with delegations of foreign judges visiting the United States. The Committee also assists in locating federal judges to participate in overseas educational work. Sometimes, but not always, judges with particular expertise or language skills are needed, and we try to maintain an up-to-date database of federal judges with those skills. Of course, we'd ask that judges interested in this work be current with their case-loads before volunteering their time.

*"Americans are better served if justice systems around the world respect the Rule of Law and are accessible and efficient."*

Incidentally, I would encourage any federal judge who has a particular expertise or language skill, and an interest in using that skill here or abroad, to let us know.

**Q:** Why is the Committee's work important to the United States?

**A:** I believe it is in our national interest to assist foreign judges and courts in their quest to improve the delivery of justice in their own countries. People everywhere want to have justice systems which are fair, efficient, ethical, and which adhere to predictable standards and requirements. The fact that foreign judiciaries and courts turn to the United States for assistance shows how much our system of justice is respected around the world. Clearly,

global commerce depends upon a stable, predictable, and fair system of dispute resolution. Americans are better served if justice systems around the world respect the Rule of Law and are accessible and efficient.

**Q:** I've always wanted to see Paris or Rome. How can I get involved?

**A:** If you want to see those cities, you'll need to buy a ticket and go there yourself. The federal judges who work in our area only see such places from the airport, on their way to or from a developing or fragile area of the world where our assistance is needed. Countries with well-established, effective, and transparent judiciaries are not generally where federal judges visit under the programs we coordinate. For travel to the countries we visit, be prepared to load up on shots and pills, and drink only bottled water.

**Q:** How are overseas trips for federal judges funded?

**A:** I'm glad you asked. I need to make one thing clear: The Judiciary's appropriations are not used for overseas travel. Federal judges who do travel internationally are generally sponsored by the Executive Branch, primarily through the State Department or the U.S. Agency for International Development, either directly or through contractors who receive funds to administer Rule of Law programs.

**Q:** The Committee works with federal judges to host visiting foreign judicial delegations. Can you tell us about this and how it works?

**A:** Judges, including the Chief Justice, often comment about how much they enjoy meeting with

their foreign counterparts. As the Chief Justice has noted recently, judicial visitors often possess an energy, enthusiasm, and passion about their work, and a hunger to learn about our system and our judges. Many of us are struck by the integrity and courage that foreign judges in emerging democracies demonstrate. Our foreign colleagues are often well educated, but many operate in difficult, and even dangerous circumstances. Their efforts are heartening, and help us reaffirm our own personal commitment to the concept of justice.

Last year, the Committee hosted briefings for 50 international judicial delegations in Washington, D.C., which included 497 judges, court administrators, and other officials from 98 countries. In addition, through the Open World Program at the Library of Congress, we hosted six orientation programs for 231 Russian and Ukrainian judges. Open World is now seeking to expand into other countries which were once part of the Soviet Union or were aligned with it under communist rule. So we anticipate receiving more judicial delegations as this continues.

Hosting judicial delegations is an enjoyable experience which often produces lasting international friendships. In fact, sister-court relationships have been cropping up from time to time as a result of the visits of foreign delegations. As an example, when I was chief judge of the Western District of Kentucky, our court hosted a delegation of judges from Croatia. That eventually resulted in the establishment of a sister-court relationship between the Western District of Kentucky and a general jurisdiction court in Croatia headquartered in the City of Pula. That sister-court relationship continues to this day.

**Q:** The assistance of senior judges is invaluable to our courts in the United States. May senior judges



*On a trip to Croatia and Serbia last fall to further judicial reform projects, Judge Charles R. Simpson III met with Judge Nevenka Markovic, president of the Commercial Court of Zagreb, Croatia. The court is the largest court in the country, with 45 sitting judges.*

participate in your Committee's outreach to foreign judiciaries?

**A:** Senior judges are a very valuable resource for international work. We have many senior judges who are willing to travel under difficult circumstances and often on short notice. But the work is very rewarding.

**Q:** What about magistrate judges and bankruptcy judges?

**A:** There are certainly opportunities for non-Article III judges. For instance, bankruptcy judges often provide a unique resource for judges from other countries who are on commercial courts. While the jurisdiction of most commercial courts extends beyond insolvency, American bankruptcy judges have been valuable resources for foreign courts as they seek to expand and modernize insolvency proceedings. As an example, U.S. bankruptcy judges are now consulting with the Commercial Courts of Russia as that country moves to adopt, for the

first time, a law permitting individuals to file bankruptcy.

**Q:** It sounds like international work can be interesting as well as educational.

**A:** A judge who approaches international work with an open mind and a desire to learn as well as to educate, will take back far more than he or she gives. It is not an overstatement to say that the American legal system provides a standard against which many judicial reform advocates in other countries measure their success.

And even when we encounter judges with traditions and procedures that are far different than our own, we seem to find common ground by our shared mission to promote the Rule of Law.

Some of our judges, having visited courts in developing countries have been left with life-altering memories. But regardless of where our judges have gone,

*See Interview on page 12*

they all find that the experience helps us realize that the thirst for justice under the Rule of Law has no international boundary.

**Q:** Is language a barrier?

**A:** Not usually. The foreign delegations that come to the United States are generally accompanied by an interpreter and a bilingual facilitator. Plus, I have found that one can communicate a lot with pure personality and body language.

When we travel abroad, we find that because English is the language of world business, it is spoken and understood in many places. But,

where necessary, we are provided interpreters by our hosts.


**Q:** You have probably visited a number of countries as a federal judge. Was there an experience that stands out for you?

**A:** Well, I remember being locked up in Russia. Many criminal courtrooms in Russia still have cages where those who are accused sit during the trial. They are, in essence, a jail cell within the courtroom.

A few years ago, while visiting a courthouse in Ivanovo, Russia, I was shown a courtroom with such a cage and decided to have my picture taken behind the bars. I walked into the

cage, and absentmindedly closed the door behind me. After the humorous pictures were taken, I turned to open the door, and found it locked.

The Russian judges who were my hosts had a good laugh, but then everyone started trying to find the key. It could not be found. So I was obliged to wait inside the cage until a key could be located. It took a while!

Afterward, everyone had a joke to tell about the American judge who got locked up in Ivanovo. The local newspaper even carried a photograph and story the next day. The whole incident was rather amusing. But I'll tell you one thing: I was pretty glad when they were finally able to open that door! 

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